

3

WALTER WILHELM LAW GROUP
A Professional Corporation
Riley C. Walter #91839
Matthew P. Bunting #306034
Danielle J. Bethel #315945
205 East River Park Circle, Ste. 410
Fresno, CA 93720
Telephone: (559) 435-9800
Facsimile: (559) 435-9868
E-mail: rileywalter@w2lg.com

Chapter 9 Counsel

MCCORMICK BARSTOW, LLP
Timothy L. Thompson #133537
Mandy L. Jeffcoach #232313
Nikole E. Cunningham #277976
7647 N. Fresno Street
Fresno, CA 93720
Telephone: (559) 433-1300
Facsimile: (559) 433-2300
E-mail: mandy.jeffcoach@mccormickbarstow.com

District Counsel

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In re

TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE REGIONAL
MEDICAL CENTER,

Debtor.

Tax ID #: 94-6002897
Address: 869 N. Cherry Street
Tulare, CA 93274

CASE NO. 17-13797

Chapter 9

DC NO.: WW-12

Date: N/A
Time: N/A
Place: 2500 Tulare Street
Fresno, CA 93721
Courtroom 13
Judge: Honorable René Lastreto II

APPLICATION FOR EX PARTE ORDER AUTHORIZING FRBP 2004 EXAMINATION
AND PRODUCTION OF DOCUMENTS
(ALAN GERMANY)

TO THE HONORABLE RENÉ LASTRETO II, UNITED STATES BANKRUPTCY

JUDGE:

1 TULARE LOCAL HEALTHCARE DISTRICT, dba TULARE REGIONAL MEDICAL
2 CENTER ("TRMC" or "Applicant"), Debtor in the above captioned Chapter 9 bankruptcy
3 proceeding, hereby files this Application for Ex Parte Order compelling Alan Germany,
4 to produce certain documents for inspection and copying and, if requested, to appear for
5 a FRBP 2004 Examination.

6 **Alan Germany**
7 **2386 N. Sun Lake Place**
8 **Tucson, AZ 85749**

9 Applicant represents as follows:

- 10 1. TRMC filed a voluntary Chapter 9 petition on September 30, 2017.
- 11 2. TRMC has reason to believe that Alan Germany, who was the Chief
12 Financial Officer of Tulare Regional Medical Center, is in possession of information
13 needed by TRMC which affects the rights of TRMC as well as the administration of this
14 bankruptcy case.
- 15 3. TRMC believes that the information needed bears upon the acts,
16 conduct, or assets and liabilities of TRMC.
- 17 4. The examination will also relate to the operation of the TRMC's business
18 and the desirability of its continuance, the source of any money or property acquired or
19 to be acquired by TRMC for purposes of consummating a plan and the consideration
20 given or offered therefore, and any other matter relevant to the case or to the formation
21 of a plan.
- 22 5. Conducting such examination will assist TRMC in protecting its interests
23 in evaluating any plan that may be advanced and in furthering the administration of this
24 Chapter 9 case.
- 25 6. By this Application TRMC requests that it be permitted to examine Alan
26 Germany and, if it chooses, compel the production of documentary evidence in the
27 manner provided in FRBP 9016.

28 WHEREFORE, Applicant prays as follows:

- A. The Court enter Order pursuant to FRBP 2004 authorizing the examination

1 of Alan Germany;

2 B. The Court enter an Order pursuant to FRBP 2004 authorizing the issuance
3 of a Subpoena for Rule 2004 Examination with Production of Documents; and

4 C. For such other and further relief as is just and proper.

5 Dated: December 14, 2017

WALTER WILHELM LAW GROUP,
a Professional Corporation

7
8 By: Riley C. Walter
Riley C. Walter, Attorneys for Debtor,
9 Tulare Local Healthcare District, dba
Tulare Regional Medical Center
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28